

The Honorable Jamal N. Whitehead

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KURT A. BENSHOOF,	)	No. 2:24-cv-00382-JNW
	)	
Plaintiff,	)	DEFENDANT KEENAN’S
v.	)	RESPONSE IN OPPOSITION TO
	)	MOTION FOR “JURISDICTIONAL
DAVID S. KEENAN,	)	DISCOVERY”
	)	
Defendant.	)	<i>Noted for November 22, 2024</i>
	)	

Plaintiff Benshoof filed this lawsuit on March 15, 2024, and was granted in forma pauperis status. Dkts. 1, 19, 20. Plaintiff has never requested issuance of a summons pursuant to FRCP 4(b).

In July, Benshoof was arrested and remains in jail in King County pending various criminal charges in Seattle Municipal Court and King County Superior Court. Dkt 25.<sup>1</sup> Benshoof has filed motions to stay this matter indefinitely, which the defendants have opposed. Dkts. 25, 27, 28, 29, 30, 32.

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<sup>1</sup> On September 27, 2024, Benshoof was convicted by a jury of one count of misdemeanor custodial interference and 80 counts of misdemeanor violation of a court order in Seattle Municipal Court. Declaration of Ann Summers In Support of Opposition to Motion for “Jurisdictional Discovery,” Ex. A. Benshoof remains in custody pending sentencing on those convictions, and is also in custody pending trial on three felonies in King County Superior Court: one count of stalking, and two counts of attempting to elude a pursuing police vehicle. *Id.*, Ex. B and C. Counsel has been appointed for Benshoof in his felony case. *Id.*, Ex. C.

On November 1, 2024, Benshoof filed a pleading purported to be a “combined” reply to Defendants’ opposition to his motions to stay and “motion for Jurisdictional Discovery.” Dkt. 33. While the motion purports to contain Benshoof’s signature, it also purports to have been drafted and is signed by a person named Urve Maggitti, who does not appear to be a licensed attorney and apparently lives in Pennsylvania. Washington law prohibits the unauthorized practice of law. Rev. Code of Wash. § 2.48.180. A person that prepares legal forms is practicing law. *State v. Hunt*, 75 Wash. App. 795, 802, 880 P.2d 96 (1994). Courts generally strike pleadings filed by individuals engaged in the unauthorized practice of law. *See e.g. Seco v. Homestead Apartments*, 2024 WL 3566592, at \*1 (W.D. Wash. July 29, 2024) (collecting cases). To the extent that the motion has been prepared and filed by a person not authorized to practice law, it should be stricken.

Moreover, the motion for “jurisdictional discovery” is unintelligible. Benshoof cites FRCP 26(b)(1). That provisions defines the scope of discovery generally. Defendants have received no discovery requests in this case. Dec. of Summers.

Jurisdictional discovery is permitted where there are facts bearing on the question of jurisdiction that are in dispute. *Burri Law PA v. Skurla*, 35 F.4<sup>th</sup> 1207, 1217-18 (9<sup>th</sup> Cir. 2022). There are no disputed facts pertaining to Benshoof’s motions to stay that bear on the question of this Court’s jurisdiction.

Benshoof’s motion and request for a hearing should be denied.

*I certify that this Memorandum contains 432 words in compliance with Local Civil Rules.*


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1 DATED this 6<sup>th</sup> day of November, 2024.

2 LEESA MANION (she/her)  
3 King County Prosecuting Attorney

4 By:   
5 ANN SUMMERS, WSBA #21509  
6 Senior Deputy Prosecuting Attorney  
7 Attorneys for Shoreline & King County Defendants  
8 701 5<sup>th</sup> Avenue, Suite 600  
9 Seattle, WA 98104  
10 Phone: (206) 477-1120/Fax: (206) 296-0191  
11 [ann.summers@kingcounty.gov](mailto:ann.summers@kingcounty.gov)

12 **CERTIFICATE OF FILING AND SERVICE**

13 I hereby certify that on November 6, 2024, I electronically filed the foregoing document  
14 with the Clerk of the Court using the CM/ECF E-filing system which will send automatic  
15 notification to the following:

16 Kurt A. Benshoof  
17 [kurtbenshoof1@gmail.com](mailto:kurtbenshoof1@gmail.com)

18 I also hereby certify that on November 6, 2024, I also sent the same via US Postal  
19 Service to the following:

20 Kurt A. Benshoof  
21 B/A 2024-008067  
22 King County Correctional Facility  
23 500 Fifth Ave.  
Seattle, WA 98104

I declare under penalty of perjury under the laws of the United States of America and the  
State of Washington that the foregoing is true and correct.

DATED this 6<sup>th</sup> day of November, 2024.

  
RAFAEL A. MUNOZ-CINTRON  
Paralegal I – Litigation Section  
King County Prosecuting Attorney's Office